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TO

Confirm a Provisional Order made by the Local Government Board for Ireland under the Public Health (Ireland) Act, 1878, relating to the improvement of Streets in the Township of Blackrock. A.D. 1892.

WHEREAS the Local Government Board for Ireland have made the Provisional Order set forth in the schedule hereto, under the provisions of the Public Health (Ireland) Act, 1878:

41 & 42 Vict.
c. 52.

And whereas it is requisite that the said Order should be confirmed by Parliament:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

10 1. The Order set out in the schedule hereto shall be and the same is hereby confirmed, and shall be construed as part of this Act, and all the provisions thereof shall have full validity and force. Order in
schedule
confirmed.

2. This Act may be cited as the Local Government Board (Ireland) Provisional Order Confirmation (No. 4) Act, 1892. Short title

SCHEDULE.

A.D. 1892.

Blackrock.

THE LOCAL GOVERNMENT BOARD FOR IRELAND.

BLACKROCK TOWNSHIP.

PROVISIONAL ORDER.

WHEREAS the Blackrock Township Commissioners elected under the 5
26 & 27 Vict. c. 433. Blackrock Township Act, 1863 (herein-after called the Sanitary Authority), are the Urban Sanitary Authority of the Urban Sanitary District, consisting of the Blackrock Township, in the county of Dublin, and have adopted Part III. of the Housing of the Working Classes Act, 1890, and are about to purchase certain premises for the purpose of widening, opening, enlarging, and otherwise 10
33 & 34 Vict. c. 79. improving certain streets within the said township, and to acquire certain land for the purposes of Part III. of the Housing of the Working Classes Act, 1890.

And whereas the Sanitary Authority have deposited at the office of the Local Government Board for Ireland (herein-after called the Local Government Board) in Dublin, plans and a book of reference (herein-after called the deposited plans 15
33 & 34 Vict. c. 79. and book of reference) showing the lands and premises required for the purposes aforesaid.

And whereas all advertisements and notices required by the Public Health (Ireland) Act, 1878, having been previously published, served and given, the Local Government Board have caused a local inquiry to be held as to the propriety of assenting to the prayer of the said petition, and it appears to the Local Government Board to be proper to assent thereto. 20

It is ordered by the Local Government Board as follows :—

1. From and after the confirmation of this Order by Parliament the Sanitary Authority shall be empowered to put in force the powers of the Lands 25
Compulsory powers to take lands and premises. Clauses Acts with respect to the purchase and taking of land otherwise than by agreement with reference to the lands, easements, rights of way, and other premises described in the deposited plans and book of reference, and for the purposes of this Order the word land in the Lands Clauses Acts shall extend to and include the said lands, easements, rights of 30
way and other premises.

2. (1.) The Sanitary Authority shall not under the powers of this Order, without the consent of the Local Government Board, purchase or acquire 25
Provision as to houses occupied by the working classes. ten or more houses which, after the confirmation of this Order by Parliament, have been, or on the fifteenth day of December last were occupied 35
either wholly or partially by persons belonging to the labouring class as tenants or lodgers, unless and until—

(a) They have obtained the approval of the Local Government Board to a scheme for providing new dwellings for such number of

persons as were residing in such houses on the fifteenth day of December last or for such number of persons as the Local Government Board shall, after inquiry, deem necessary, having regard to the number of persons on or after that date residing in such houses, and working within one mile therefrom, and to the amount of vacant suitable accommodation in the immediate neighbourhood of such houses, or to the place of employment of such persons, and to all the circumstances of the case; and

A.D. 1892.
Blackrock.

(b) they have given security to the satisfaction of the Local Government Board for the carrying out of the scheme.

(2.) The approval of the Local Government Board to any scheme under this clause of this Order may be given either absolutely or conditionally, and after the Local Government Board have approved of any such scheme, they may approve, either absolutely or conditionally, of any modifications in the scheme.

(3.) Every scheme under this clause of this Order shall contain provisions prescribing the time within which it shall be carried out, and shall require the new buildings proposed to be provided under the scheme to be completed, fit for occupation, before the persons residing in the houses in respect of which the scheme is made are displaced, provided that the Local Government Board may dispense with the last-mentioned requirement, subject to such conditions (if any) as they may deem fit.

(4.) Any provisions of any scheme under this clause, and any conditions subject to which the Local Government Board may have approved of any scheme, or of any modifications of any scheme under this clause, or subject to which they may have dispensed with the above-mentioned requirement, shall be enforceable by a writ of Mandamus to be obtained by the Local Government Board out of the High Court.

(5.) If the Sanitary Authority acquire or appropriate any house for the purposes of this Order in contravention of the foregoing provisions, or displace or cause to be displaced, the persons residing in any house in contravention of the requirements of the scheme, they shall be liable to a penalty of five hundred pounds in respect of every such house, which penalty shall be recoverable by the Local Government Board by action in the High Court, and shall be carried to and form part of the Consolidated Fund of the United Kingdom; provided that the Court may, if it thinks fit, reduce such penalty.

(6.) For the purpose of carrying out any scheme under this clause, the Sanitary Authority may, subject to the approval of the Local Government Board, appropriate any lands for the time being belonging to them, or which they have power to acquire, and may purchase such further lands as they may require.

(7.) Subject to the provisions of this clause, the Sanitary Authority and the Local Government Board and their inspectors shall have and may exercise for any purpose in connection with any scheme under this clause all or any

A.D. 1892.

Blackrock.

41 & 42 Vict.
c. 32.

of the powers vested in them under the Public Health (Ireland) Act, 1878, in the same manner in every respect as if the preparation and carrying into effect of such scheme were one of the general purposes of that Act.

Provided that all lands on which any buildings have been erected or provided by the Sanitary Authority in pursuance of any scheme under this clause, shall, for a period of twenty-five years from the confirmation of this Order by Parliament, be appropriated for the purpose of dwellings, and every conveyance, demise, or lease of such lands and buildings shall be endorsed with notice of this Order.

Provided also that the Local Government Board may at any time dispense with any of the requirements of this clause of this Order, subject to such conditions, if any, as they may deem fit.

- (8.) The Sanitary Authority shall, if required by the Local Government Board, pay to the said Board a sum to be fixed by that Board in respect of the preparation and issue of any Provisional Order in pursuance of this clause of this Order, and any expenses incurred by the Local Government Board in relation to any inquiries under this Order, including the expenses of any witnesses summoned by the inspector holding the inquiry, and a sum to be fixed by that Board, not exceeding three guineas a day, for the services of such inspector.

- (8.) For the purpose of this clause of this Order, the expression "labouring class" includes mechanics, artisans, labourers, and others working for wages, hawkers, costermongers, persons not working for wages, but working at some trade or handicraft without employing others, except members of their own family, and persons other than domestic servants whose income does not exceed an average of thirty shillings a week, and the families of any of such persons who may be residing with them.

Duration of compulsory powers.

3. The powers of compulsory purchase given by this Order shall not be exercised after the expiration of three years from the confirmation of this Order.

Costs of Order.

4. The costs and expenses of the Sanitary Authority and of the Local Government Board of and in relation to the application for and making of this Order and the confirmation thereof by Parliament shall be paid by the Sanitary Authority as part of their expenses incurred in the execution of the Public Health (Ireland) Act, 1878.

41 & 42 Vict.
c. 32.
Short title of Order.

5. This Order may be cited and referred to for all purposes as the Blackrock Provisional Order, 1892.

Given under our hands and seal of office this eighth day of April, in the year of our Lord one thousand eight hundred and ninety-two.

(Signed) GEORGE MORRIS
H. A. ROBINSON.